

December 15, 2004

**MINUTES OF A REGULAR MEETING OF
THE TORRANCE PLANNING COMMISSION**

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:08 p.m. on Wednesday, December 15, 2004, in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Uchima.

3. ROLL CALL

Present: Commissioners Botello, Drevno, Faulk, Horwich, LaBouff, Uchima and Chairperson Muratsuchi.

Absent: None.

Also Present: Planning Manager Isomoto, Planning Assistant Hurd, Planning Associate Santana, Building Regulations Administrator Segovia, Fire Marshal Carter, Associate Civil Engineer Symons and Deputy City Attorney Whitham.

4. POSTING OF THE AGENDA

MOTION: Commissioner Horwich, seconded by Commissioner Uchima, moved to accept and file the report of the secretary on the posting of the agenda for this meeting; voice vote reflected unanimous approval.

5. APPROVAL OF MINUTES

None.

6. REQUESTS FOR POSTPONEMENTS

None.

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Chairperson Muratsuchi reviewed the policies and procedures of the Planning Commission, including the right to appeal decisions to the City Council.

7. CONTINUED HEARINGS

None.

8. WAIVERS

None.

9. FORMAL HEARINGS

9A. CUP04-00031, PRE04-00023, TTM61655: GEORGE KRIKORIAN (DAN WITHEE)

Planning Commission consideration for approval of a Conditional Use Permit and a Precise Plan of Development to allow the construction of a mixed-use development, including 23 condominium units and 8,325 square feet of commercial space, and a Tentative Tract Map for condominium purposes on property located in the Hillside Overlay District in the C-1 Zone at 115 and 131 Palos Verdes Boulevard.

Recommendation

Approval.

Planning Assistant Hurd introduced the request and noted supplemental material available at the meeting consisting of correspondence received after the agenda material was prepared.

Dan Withee, project architect, distributed renderings of the project to the Commission. He noted that a commercial-use project was approved on this site in 1998, however, the lender required that 50% of the building be leased before financing could be secured and Mr. Krikorian was never able to achieve that level so the project was never built. He explained that he subsequently designed the proposed mixed-use project, with a smaller amount of commercial space along the street frontage of the first floor and residential units to the rear, semi-subterranean parking below the first floor, and a second floor composed entirely of residential units. He briefly described the project, noting that the residential units were designed for empty nester, move-down buyers and all are handicapped-accessible. He advised that the stair tower has been eliminated from the south corner of the building in order to improve the view of neighbors across the street.

Commissioner Botello asked about the ownership of the commercial space. Mr. Withee explained that the space will be sold as condominiums, which purchasers can either use for their own business or rent out. He noted that owners will be part of the homeowners association but they will have a slightly different set of rules than residential owners.

In response to Commissioner Botello's inquiry, Planning Manager Isomoto provided information regarding the minimum size for primary and secondary bedrooms.

Chairperson Muratsuchi asked about the effect of the moratorium enacted by the City Council on this project. Planning Manager Isomoto explained that the moratorium prohibits Zone Changes and General Plan Amendments but the proposed project does not require either of these entitlements.

Submitting photographs to illustrate, Bob Howard, 118 Palos Verdes Boulevard, stated that he met with Mr. Krikorian to discuss his concerns about the impact on his view, however, his concerns have been addressed by the elimination of the south stair tower.

Ariana Mansouri, owner of hair salon at 1701 Via El Prado, voiced support for the project, stating that she felt it was beneficial for businesses to have residences in the Riviera Village, and noted that there is ample public parking nearby.

Alex Sams, 129 Paseo de las Delicias, stated that he and his family frequently walk to the Riviera Village and he finds the idea of a pedestrian-friendly building very appealing.

Charles Bennett, 362 Palos Verdes Boulevard, reported that he recently moved from a large home in Palos Verdes to a one-story condominium in the Riviera and believes the location is ideal for retirees as it is close to shopping and the beach.

Voicing support for the project, Mr. Damian, owner of 149 Palos Verdes Boulevard, stated that Mr. Krikorian has been an excellent neighbor and the three concerns he had about the project – parking overflow, having an adequate setback between his and the subject building, and maintaining a front setback equal to that of his existing office building – have been addressed.

Charlene Kilroy, owner of 112 Palos Verdes Boulevard, stated that while the proposed project was nicely designed, she was concerned about the impact on view, maintaining that it would block three-quarters of the ocean view from the owners unit in her building.

Indicating that he visited the Kilroys' property, Commissioner Faulk stated that while he agreed the project would have some impact on the view, he would estimate the view loss to be much less than 75%. He related his observation that the majority of the view to the north and to the south would be preserved, which seems to be the primary views from this unit.

Chairperson Muratsuchi stated that, when standing on the balcony of the unit, he observed that a slice of ocean view would be blocked by the project and he could understand how that could have a harmful impact on the value of the Kilroys' property.

Commissioner Horwich reported that he viewed the silhouette from the balcony and the front room of the unit in question and he observed a view impact that needs to be addressed before the project goes forward.

Jim Kilroy, owner of 112 Palos Verdes Boulevard, expressed the hope that the project could be graded down a little to preserve the view from his property, conceding that judging view loss is very subjective. He noted that the building has had many long-term tenants and that he hopes to eventually live in the owner's unit, which is now vacant since a tenant of 30 years recently moved out.

Tom Gray, owner of professional building on Vista del Mar, stated that while he generally supports the project and believes that it will fit well in Riviera Village, he was concerned that it could exacerbate parking problems in the area.

Addressing audience members' comments, Mr. Withee stated that the Kilroys' view is somewhat of a "peek-a-boo" view between trees and rooftops; that much of the view being eliminated did not exist until Pat's Ski Shop was torn down following a fire; and that the building was designed to be as low profile as possible. He expressed

confidence that the parking provided was adequate, noting that the parking exceeds Redondo Beach's requirements and there is a large public parking lot a block away.

Commissioner Botello expressed concerns about the viability of the retail space, noting that there was a problem with vacant space in a similar project on Pacific Coast Highway. Mr. Withee stated that although there are no guarantees, it has been his experience that retail space in a good neighborhood will fill up rather quickly and pointed out that the PCH project is not located in Riviera Village. Additionally, he noted that Mr. Krikorian has the option of using the space to house his business should he have a problem selling or leasing it.

Responding to questions from the Commission, Mr. Withee provided clarification regarding ceiling heights and confirmed that the garage area for residential units will be caged off from the rest of the garage. He indicated that second-floor units will include roof decks, but their railings will be below the roofline reflected in the silhouette. He explained that unlike the silhouette, which goes straight across, there will be six-foot intervals where the roof drops down two to three feet.

Commissioner Horwich asked about possible mitigations, and Mr. Withee stated that it might be possible to achieve a 1-2 foot reduction in the project's height by lowering second-floor ceiling heights to nine feet, but he did not believe it would significantly improve the Kilroys' view.

Noting that she visited the Kilroys' property, Commissioner Drevno voiced her opinion that the elimination of the south stair tower would significantly reduce the view impact and indicated that she would support the project as proposed. She took exception to the statement in the letter from the Kilroys' attorney (supplemental material) that their property has a panoramic ocean view, suggesting that it would be more accurately described as a view of the horizon.

In response to Commissioner Uchima's inquiry, Mr. Withee clarified that the silhouette viewed by Commissioners includes the south stair tower.

Commissioner Uchima stated that he did observe some view blockage when he visited the site, however, he believed the elimination of the stair tower and the articulation of the roofline would make a big difference and he favored approval of the project as proposed. He indicated that he did not believe the project would have an adverse impact on parking, noting that there is a large public parking lot nearby and the Riviera Village is a pedestrian-friendly area.

Commissioner Faulk agreed that the gaps in the roofline would open up some of the view, but stated that he was inclined to require some reduction in ceiling heights to create more relief in terms of the view of the horizon.

Commissioner Botello asked about the possibility of digging down a little deeper into the grade instead of reducing ceiling heights. Mr. Withee expressed concerns about sinking the retail space any further into the ground, noting that it is already 2½ feet below sidewalk level. He voiced objections to having only 9-foot ceiling heights, explaining that the lower ceilings would detract from the light and open look he was trying to create for these luxury condominiums.

Chairperson Muratsuchi stated that he thought the project's design was attractive and suited to the Riviera Village, however, he was concerned about its FAR of 1.14. He explained that in order to be fair and consistent, he tries to follow the TMC, which in this case allows an FAR of 1.0 unless an exception is granted by the Commission. He questioned whether the FAR could be reduced to 1.0 or if there was justification for granting an exception.

Mr. Withee maintained that the higher FAR was justified because the project is located within a commercially zoned area.

In response to Chairperson Muratsuchi's inquiry, Mr. Withee indicated that he was not aware of any opposition from homeowners associations concerning this project.

Commissioner Botello noted that the staff report mentions that the project would have an FAR of 0.97 if circulation areas were excluded.

Planning Manager Isomoto related her understanding that exterior hallways that open onto the courtyard should not be included in FAR calculations, and the Commission delayed taking action on this item while the project's FAR was recalculated.

Agenda Item 9B was considered at this time.

9B. PRE04-00031: DOROTHY A. TIBBET (WILL BASILIO)

Planning Commission consideration of approval of a Precise Plan of Development to allow the construction of first and second-story additions to an existing two-story, single-family residence on property located in the Hillside Overlay District in the R-1 Zone at 5008 Reynolds Road.

Recommendation

Approval.

Planning Associate Hurd introduced the request.

Will Basilio, project architect, voiced his agreement with the recommended conditions of approval.

MOTION: Commissioner Botello, seconded by Commissioner Horwich, moved to close the public hearing; voice vote reflected unanimous approval.

In response to Chairperson Muratsuchi's inquiry, Planning Manager Isomoto provided clarification regarding the Waiver incorporated in the Precise Plan of Development granting a 13-inch encroachment into the side yard setback to allow the construction of a two-car garage.

MOTION: Commissioner Botello moved for the approval of PRE04-00031, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Uchima, and passed by unanimous roll call vote.

Planning Manager Isomoto read aloud the number and title of Planning Commission Resolution No. 04-149.

MOTION: Commissioner Faulk moved for the adoption of Planning Commission Resolution No. 04-149. The motion was seconded by Commissioner Botello and passed by unanimous roll call vote.

The Commission recessed from 8:40 p.m. to 8:50 p.m., after which the Commission resumed consideration of Agenda Item 9A.

9A. CUP04-00031, PRE04-00023, TTM61655: GEORGE KRIKORIAN (DAN WITHEE)

Mr. Withee reported that rough calculations indicated that the project's FAR is just under 1.0. He requested the approval of ceiling heights as proposed, expressing concerns that lowering ceilings could make retail space less desirable. He voiced his agreement with the recommended conditions of approval.

Commissioner Horwich suggested the possibility of requiring the FAR not to exceed 1.02 to allow some flexibility in case there is a discrepancy in the revised FAR calculations.

MOTION: Commissioner Horwich, seconded by Commissioner Botello moved to close the public hearing; voice vote reflected unanimous approval.

MOTION: Commissioner Uchima moved for the approval of CUP04-00031, PRE04-00023 and TTM61655, as conditioned, including all findings of fact, with the following modifications:

Add

- That the south stair tower shall be eliminated.
- That the Floor Area Ratio shall not exceed 1.0.

The motion was seconded by Commissioner Botello and passed by a 6-1 roll call vote, with Chairperson Muratsuchi dissenting.

Commissioner Horwich stated that he voted for the project despite some reservations because he believed it would be a vast improvement for the area.

Chairperson Muratsuchi explained that he voted against the project because of the impact on the Kilroys' ocean view.

Commenting on his vote, Commissioner Botello noted that the proposed project would have less of an impact on views than the previously approved commercial project and indicated that he supported the project because he was convinced that his concerns about parking, residents' safety, and the viability of retail space had been addressed.

Planning Assistant Hurd read aloud the number and title of Planning Commission Resolution Nos. 04-146, 04-147, and 04-148.

MOTION: Commissioner Uchima moved for the adoption of Planning Commission Resolution Nos. 04-146, 04-147 and 04-148 as amended. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote.

9C. PRE04-00032, WAV04-00027: ALFEREZ & FREDERICK ASSOCIATES

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a new two-story, single-family residence and a Waiver of the maximum height requirement on property located in the Hillside Overlay District in the R-1 Zone at 4133 Mesa Street.

Recommendation

Continuance for reposition/redesign.

Planning Assistant Hurd introduced the request.

Leonard Frederick, project architect, stated that he has spent almost three years designing this project, carefully considering the six neighboring properties that could potentially be impacted. With regard to staff's suggestion that the home be moved more toward the front of the lot, he explained that each foot the home is moved toward the street will cause an increase in height due to the steeply sloped lot and the house was specifically designed with a large front setback because it enabled him to achieve a ridgeline only 5.5 feet higher than the street-level grade, thereby preserving the view of neighbors across the street. He conceded that the project would obstruct the side view of the neighbor to the west but noted that this is the pattern along this street. He suggested that his client should be allowed to obstruct the view to the same extent as other homes on this block even though the lot is currently vacant. He maintained that this neighbor would still see the side of this house whether the front setback is 20 or 30 feet. He reported that he had done computer modeling and come to the conclusion that the best way to site the project was as proposed.

A brief discussion ensued, and Commissioners Botello, Uchima and Faulk indicated that they concurred with staff's recommendation that the house be repositioned/redesigned because the project as proposed would have a significant adverse impact on the properties on either side of it.

Mr. Frederick indicated that he had no objection to repositioning the house but expressed concerns about opening "Pandora's box," explaining that while moving the house forward would open up a little bit of view for neighbors on either side, it would detract from the view of 4 to 6 houses across the street. He asked for direction from the Commission.

Commissioner Faulk encouraged Mr. Frederick to work with Planning staff to arrive at a compromise because as currently designed, the project has a disproportionate impact on the neighbors on both sides.

Chairperson Muratsuchi suggested, in addition to taking advantage of the expertise of City staff, that Mr. Frederick meet with affected neighbors.

Mr. Frederick reported that he has worked with City staff over a period of years on this project and was surprised to learn only last week that staff was recommending that the project be redesigned/repositioned. He related his understanding that only one neighbor has said anything negative about the project and noted that he has never had a project turned down by a planning commission in his 20 years in this business.

Planning Associate Santana confirmed that Mr. Frederick has worked with staff on this project, but explained that, unfortunately, it's not always possible to ascertain whether or not a project will have a significant impact on neighboring properties until the silhouette has been erected and the matter is brought before the Commission. He indicated that staff was willing to facilitate discussions between the applicant and neighbors to try to reach a compromise. He noted that moving the project closer to the street would save on construction costs and lessen concerns about the hillside's stability.

Mr. Frederick stated that constructions costs would remain the same unless the house is moved very close to the street and related his preference to have a large landscaped front yard. He reiterated that he had no objection to repositioning the house but wanted to make sure that Commissioners understand that the project has the potential of affecting the view of 6 homes instead of 1 or 2 as currently sited.

Commissioner Faulk emphasized the importance of working with neighbors when designing projects in the Hillside Overlay area.

Commissioner Botello explained that he was concerned because most of the homes on Mesa are close to the street and positioning the proposed residence so far back affects the views, light, air and privacy of adjacent neighbors. He suggested that while decks and balconies are generally discouraged in the Hillside Overlay area, moving the house toward the street and building a deck on the back might be a viable alternative to having a large front yard in this case.

Mr. Frederick expressed concerns that a deck would still block views. Commissioner Botello pointed out that a deck would have less impact than the wall of a house. Mr. Frederick reported that the project does include an upper level balcony as shown on the side-view elevation.

Commissioner Horwich indicated that he concurred with staff's recommendation that the hearing be continued so the project could be repositioned/redesigned.

Jing Chao, owner of the subject property, expressed her willingness to work with neighbors, but voiced concerns that moving the residence closer to the street will cause neighbors across the street to oppose the project.

James McNulty, 4137 Mesa Street, indicated that he was also representing the neighbor at 4129 Mesa and stated that they both have serious concerns about the project as proposed.

Chairperson Muratsuchi encouraged Mr. McNulty to discuss his concerns with the Mr. Frederick.

Submitting photographs to illustrate, Simon Hsu, 4838 Mesa Street, expressed concerns that should the proposed project be redesigned to be the same height as the homes on either side, the three homes would create a solid wall obstructing the view of his property as well as others on the south side of the street.

Chairperson Muratsuchi recommended that Mr. Hsu also discuss his concerns with the architect, expressing the hope that neighbors and the applicant could reach a compromise.

Mr. Frederick stated that Mr. Hsu was a perfect example of why he sited the residence the way he did and indicated that he was pessimistic that a compromise could be reached that would satisfy all neighbors.

Commissioner Botello suggested the possibility of notching the wall to provide a view for the property to the west and stated that he was not committed to moving the house closer to the street if a compromise could be reached with the neighbors on either side. He pointed out that the application (Attachment 4) indicates that the project has no balconies.

Mr. Frederick offered his assurance that he would do his best to reach a compromise. He explained that a balcony was included when some modifications were made and confirmed that he would correct the application.

MOTION: Commissioner Horwich moved to continue the hearing to February 2, 2005. The motion was seconded by Commissioner Drevno and passed by unanimous roll call vote.

Chairperson Muratsuchi noted that the hearing would not be re-advertised as it was continued to a date certain.

**9D. CUP04-00040, MOD04-00017: FANCHER DEVELOPMENT SERVICES/
CALIFORNIA PIZZA KITCHEN**

Planning Commission consideration for approval of a Conditional Use Permit and a Modification of a previously approved Planned Development to allow replacement of existing floor area with the construction and operation of a sit-down restaurant with on-site service of alcoholic beverages on property located in the PD Zone at 25308 Crenshaw Boulevard.

Recommendation

Approval.

Nina Raey, representing California Pizza Kitchen (CPK), voiced her agreement with the recommended conditions of approval with the exception of Condition No. 7, which requires the applicant to construct a landscaped median island on Crenshaw Boulevard. She stated that the restaurant is a very small portion of the shopping center and it would not create an impact that would warrant the construction of a median.

Associate Engineer Symons explained that there is a problem with southbound traffic on Crenshaw Boulevard attempting to turn left into Rolling Hills Plaza in the vicinity

of the proposed restaurant and staff believes the restaurant will add to this problem and therefore included the condition requiring the construction of the median.

John Mastandrea, representing Rolling Hills Plaza, reported that the center made substantial improvements to Crenshaw Boulevard in conjunction with a project in 2002, including adding a left-turn pocket and left-turn signal at Airport Drive, and that he felt it was unreasonable to place the burden of constructing a median on a project of this scope, which is basically replacing existing square footage.

Associate Engineer Symons advised that staff came up with a rough estimate of \$26,000 for the construction of the median and they did not believe that was unreasonable given the size of the new building.

Relating his experience that traffic is very congested in this area, Commissioner Botello stated that he thought it was reasonable to require the applicant to construct the median to avoid potential conflicts should southbound motorists attempt to turn left into the driveway to access CPK instead of waiting to turn at the intersection.

Mr. Mastandrea explained that his preliminary figures were double the City's estimate and suggested the possibility that the applicant could work with staff on this matter.

Associate Engineer Symons noted that staff did not have a specific design when estimating the project, which could account for the difference in figures.

Confirming that the Commission has the authority to impose Condition No. 7, Deputy City Attorney Whitham noted that the TMC section governing Conditional Use Permits specifically states that conditions may be imposed by the Commission if it finds that they are reasonable and necessary to mitigate project-related adverse impacts, and it further states that such conditions may relate to both on- and off-site improvements, including but not limited to, dedications of land for access purposes, payment in whole or in part for traffic regulation devices, and such other conditions as are deemed necessary to effectuate the proper development of the property and surrounding area and ensure compliance with the Torrance General Plan.

Referring to Condition No. 3 (That permission for the on-premise sale and consumption of alcoholic beverages on the subject property shall be granted explicitly in conjunction with the operation of a bona fide food establishment, and if the restaurant ceases to serve food, this case shall be reviewed by the Planning Commission to determine whether the sale of alcoholic beverages shall continue), Commissioner Horwich requested that everything after the word "establishment" be deleted.

Deputy City Attorney Whitham confirmed that this portion could be eliminated, noting that any change in operation would require a modification of the Conditional Use Permit, which would require Planning Commission approval.

Planning Associate Santana advised that this condition is typically included for information purposes to make it clear to the applicant and any future owner that permission to serve alcohol is contingent on the operation of a restaurant.

Commissioner Horwich related his preference that the second part of the condition be deleted.

MOTION: Commissioner Horwich, seconded by Commissioner Drevno, moved to close the public hearing; voice vote reflected unanimous approval.

Commissioner Faulk voiced support for the project, including Condition No. 7, stating that he believed CPK was a sufficient draw to warrant the condition and he felt it was a good opportunity to address traffic problems in this area. He also voiced support for the modification to Condition No. 3 suggested by Commissioner Horwich.

Commissioner Botello stated that he believed CPK would be a great addition to the center and the proposed traffic improvements would make the access much safer.

MOTION: Commissioner Botello moved for the approval of CUP04-00040 and MOD04-00017, as conditioned, including all findings of fact set forth by staff, with the following modification:

Modify

No. 3 That permission for the on-premise sale and consumption of alcoholic beverages on the subject property shall be granted explicitly in conjunction with the operation of a bona fide food establishment, ~~and if the restaurant ceases to serve food, this case shall be reviewed by the Planning Commission to determine whether the sale of alcoholic beverages shall continue~~

The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

Planning Associate Santana read aloud the number and title of Planning Commission Resolution Nos. 04-152 and 04-153.

MOTION: Commissioner Botello moved for the adoption of Planning Commission Resolution Nos. 04-152 and 04-153 as amended. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

10. RESOLUTIONS

None.

11. PUBLIC WORKSHOP ITEMS

None.

12. MISCELLANEOUS ITEMS

12A. ETHICS SUBCOMMITTEE

Discussion of formulation of a committee of the Planning Commission to establish an Ethics Policy for the Commission.

Following a brief discussion, Commissioners Botello, Faulk and Horwich were appointed to the Ethics Policy Committee by unanimous roll call vote.

13. REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS

Planning Associate Santana reported on recent City Council action on Planning matters, noting that the project on 190th Street was approved by a vote of 6-1.

14. LIST OF TENTATIVE PLANNING COMMISSION CASES

Planning Associate Santana reviewed the agenda for the Planning Commission meeting of January 5, 2005.

15. ORAL COMMUNICATIONS

15A. (Considered out of order, following Agenda Item 9D)

Moya Kelly, representing General Motors/Argonaut Holdings, 515 Maria Street, Thousand Oaks, requested that Commissioners reconsider their action on MOD04-00018 (Peninsula Pontiac), which included a condition requiring the dealership to build a parking deck within three years of completion of the remodeling project. She stated that the majority of the proposed project addresses the upgrade of the facility as required as part as renewal of the dealership's lease with the City and requiring the building of the parking deck would place an unreasonable burden on this business. She explained that with the 456% increase in rent starting January 1, 2005 and the \$2 million remodeling project, the construction of a parking deck will not be possible in the foreseeable future. She asked that the applicant be allowed to work with staff to resolve any parking issues without creating a financial hardship.

Commissioner Botello questioned when the last time the dealership's rent was raised, and Ms. Kelly indicated that the previous lease had been in effect for 20 years.

Deputy City Attorney cautioned Commissioners that this matter was not on the agenda and discussion should be limited to whether or not they would like to reconsider the application at a properly noticed public hearing.

Commissioner Faulk indicated that he did not favor reconsidering this matter.

Commissioner Horwich related his understanding that the dealership could request a modification of the Conditional Use Permit should the building of the parking deck not be feasible within the required time frame.

Deputy City Attorney Whitham confirmed that the dealership could apply for a modification deleting the condition requiring the construction of the parking deck, but noted that there was no guarantee that the modification would be granted.

In response to Chairperson Muratsuchi's inquiry, Ms. Kelly indicated that the applicant has filed an appeal, which may be withdrawn depending on the Commission's action.

Commissioner Uchima stated that he initially thought allowing the dealership three years to build the parking deck was reasonable, but after listening to Ms. Kelly's comments, he favored reconsidering this item because he was concerned about placing an undue burden on this business.

MOTION: Commissioner Uchima moved to reconsider MOD04-00018. The motion was seconded by Commissioner Botello and passed as reflected in the following roll call vote:

AYES: Commissioners Botello, Drevno, Horwich and Uchima.

NOES: Commissioners Faulk, LaBouff and Chairperson Muratsuchi.

15B. Commissioner Botello noted an upcoming American Planning Association conference in San Francisco and asked staff to look into whether it would be possible for Commissioners to attend.

15C. Commissioner Botello stated that he was disturbed to read in the *Daily Breeze* that Mayor Walker has filed a complaint with the police department over the conduct of a speaker at a City Council meeting. He related his experience that the Planning Commission encourages public input and tries to make the experience as stress-free as possible and emphasized the importance of providing a forum for public comment. He stated that he was dismayed that the Mayor would try to intimidate a political opponent using the City's police department and expressed the hope that other members of the Council would come forward and ask that the complaint be withdrawn.

15D. Commissioner Horwich noted the passing of George Post, a longtime community leader.

15E. Commissioners extended holiday greetings.

16. ADJOURNMENT

At 10:45 p.m., the meeting was adjourned to Wednesday, January 5, 2005, at 7:00 p.m.

Approved as Written February 2, 2005 s/ Sue Herbers, City Clerk
